

HONORABLE THOMAS S. ZILLY

Trial Date: April 20, 2020

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TRAVIS K. LOGG,

Plaintiff,

vs.

ABILENE MOTOR EXPRESS, INC., and  
DAVID W. BROOKS,

Defendants.

No. 18-cv01398 TSZ

STIPULATED MOTION AND ORDER  
TO EXTEND CERTAIN EXPERT  
DISCOVERY DEADLINES

**STIPULATION**

The parties, by and through counsel, stipulate to and move for an Order extending the timelines to disclose expert opinions of liability expert witnesses. The parties are aware of and have complied with *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 607-08 (9th Cir. 1992) and state that they have used due diligence and believe that there is good cause to grant the brief extension requested as set forth below:

Both parties represent that they have been diligently working to obtain all necessary depositions and that a multiple depositions have been taken. Despite the parties' efforts two (2) of the depositions will be unable to be taken required to meet the scheduling deadlines despite

1 the parties' diligence. The current deadline to disclose all expert opinions is November 15,  
2 2019, with rebuttal reports due 30 days later. However, the parties need to complete the Rule  
3 30(b)(6) deposition of Defendant Abilene Motor Express, Inc. and the deposition of Defendant  
4 David Brooks before disclosing liability expert reports and opinions, both of which were  
5 previously scheduled and are now scheduled to take place in Richmond, Virginia on December  
6 5, 2019. The parties have agreed on the topics, location, and deponents. Despite best efforts,  
7 given personal issues of the deponents, the deponents were not available on earlier dates.

9 Granting a brief extension will avoid the need for supplemental reports being produced  
10 just before rebuttal reports are produced based on the testimony from those depositions. It will  
11 also avoid the need for supplemental rebuttal reports.

12 To avoid discovery disputes and promote efficiency, the parties propose amending the  
13 deadlines to disclose liability experts ONLY as follows (1) extending the initial expert  
14 disclosure deadline from November 15, 2019 to December 13, 2019 (10 days after the two  
15 depositions to allow the court reporter time to prepare the depositions and liability experts time  
16 to review the deposition transcripts) and (2) extending the rebuttal expert disclosure deadline  
17 from December 15, 2019 to December 20, 2019 (5 additional days). The parties are not  
18 requesting a change to any other expert witness deadlines, like medical experts or damages  
19 experts.  
20

21 The parties have also agreed to disclose the identity, CVs, past testimony list, and  
22 publication lists of all their retained experts, including liability experts, on November 15, 2019,  
23 but wait until December 13, 2019, to disclose the liability expert opinions as outlined above.  
24 Moreover, this requested extension will not affect the other case deadlines or require an  
25 extension to the discovery deadlines or trial date.  
26



DATED: November 8, 2019.

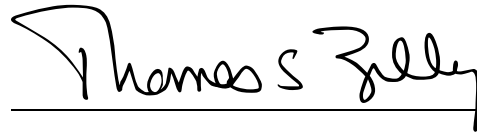
<b>Attorney for Plaintiff:</b>  <u>s/ Morgan G. Adams (approved for e-signature)</u> Morgan G. Adams, WSBA No. 51071 Seattle Truck Law, PLLC 222 Alaskan Way Seattle, WA 98104 Phone: 206-456-2525 Email: <a href="mailto:Adams@truckwreckjustice.com">Adams@truckwreckjustice.com</a>	<b>Attorney for Plaintiff:</b>  <u>s/ Christopher M. Davis (approved for e-signature)</u> Christopher M. Davis, WSBA No. 23234 Davis Law Group, P.S. 2101 Fourth Avenue, Suite 1030 Seattle, WA 98121-2328 Phone: 206-727-4000 ext. 101 Email: <a href="mailto:chris@davislawgroupseattle.com">chris@davislawgroupseattle.com</a>
<b>Attorneys for Defendants:</b>  <u>s/ Jeff Sbaih</u> Dylan E. Jackson, WSBA No. 29220 Jeff M. Sbaih, WSBA No. 51551 Wilson Smith Cochran Dickerson 901 Fifth Ave Suite 1700 Seattle, WA 98164 Phone: 206-623-4100 Email: <a href="mailto:jackson@wscd.com">jackson@wscd.com</a> ; <a href="mailto:sbaih@wscd.com">sbaih@wscd.com</a>	<b>Attorneys for Defendants:</b>  <u>s/ Suzanne Pierce (approved for e-signature)</u> Suzanne Pierce, WSBA No. 22733 John Moore, WSBA No. 45558 Matthew Ishihara, WSBA No. 54333 Davis Rothwell Earle & Xochihua 520 Pike Street, Ste. 2500 Seattle, WA 98101-4083 Phone: 206-622-2295 Email: <a href="mailto:spierce@davisrothwell.com">spierce@davisrothwell.com</a> ; <a href="mailto:jmoore@davisrothwell.com">jmoore@davisrothwell.com</a> ; <a href="mailto:mishihara@davisrothwell.com">mishihara@davisrothwell.com</a>

1  
2  
3 **ORDER**

4 IT IS HEREBY ORDERED:

- 5 1. The parties' stipulated motion, docket no. 21, is GRANTED.  
6 2. The initial expert disclosure deadline is hereby extended from November 15,  
7 2019 to December 13, 2019.  
8 3. The parties shall disclose the identity, CVs, past testimony list, and publication  
9 lists of all their retained experts, including liability experts, on November 15,  
10 2019.  
11 4. The rebuttal expert disclosure deadline is hereby extended from December 15,  
12 2019 to December 20, 2019.  
13 5. No other case deadlines are affected by this Order.

14 DATED this 15th day of November, 2019.

15  
16 

17 Thomas S. Zilly  
18 United States District Judge  
19  
20  
21  
22  
23  
24  
25  
26

